

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

LT TECH, LLC

Plaintiff,

v.

AXIOS SYSTEMS, INC.

Defendant.

Case No. 4:14-cv-196

**COMPLAINT
FOR PATENT INFRINGEMENT**

DEMAND FOR JURY TRIAL

AMENDED COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff LT Tech, LLC (“LTT”) hereby alleges for its Complaint against Axios Systems, Inc. (“Axios”) as follows:

PARTIES

1. Plaintiff LTT is a Texas limited liability company with its principal place of business at 1400 Preston Road, Suite 476 Plano, TX 75093.

2. On information and belief, Axios is a Delaware corporation with a principal place of business at 2214 Rock Hill Rd, Herndon, VA 20170. Axios may be served via its registered agent for service of process: Corporation Trust Center, 1209 Orange Street, Wilmington, Delaware 19801.

JURISDICTION AND VENUE

3. This action arises under the patent laws of the United States, Title 35 of the United States Code. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

4. Personal jurisdiction and venue are proper in this district under 28 U.S.C. §§ 1391(b), 1391(c) and 1400(b). On information and belief, Axios has transacted business in this district and/or have committed, contributed to, and/or induced acts of patent infringement in this district.

5. On information and belief, Axios is subject to this Court's specific and general personal jurisdiction pursuant to due process and/or the Texas Long Arm Statute, due at least to their substantial business in this forum, including: (i) at least a portion of the infringements alleged herein; and (ii) regularly doing or soliciting business, engaging in other persistent courses of conduct, and/or deriving substantial revenue from goods and services provided to individuals in Texas and in this judicial district.

U.S. PATENT NO. 6,177,932

6. LTT is the owner by assignment of United States Patent No. 6,177,932 ("the '932 Patent") entitled "Method and Apparatus for Network Based Customer Service." The '932 Patent originally issued on January 23, 2001 and a re-examination certificate issued on September 14, 2010. A true and correct copy of the '932 Patent is attached as Exhibit A and the re-examination certificate is attached as Exhibit B.

7. Messrs. Frank A. Galdes and Mark A. Ericson are listed as the inventors on the '932 Patent.

8. On information and belief, to the extent any marking was required by 35 U.S.C. § 287, predecessors in interest to the '932 Patent complied with such requirements.

COUNT I

INFRINGEMENT OF U.S. PATENT NO. 6,177,932 BY AXIOS

9. Plaintiff LTT incorporates paragraphs 1 through 8 as if set forth herein.

10. Axios has, pursuant to 35 U.S.C. § 271, infringed and continues to infringe, has actively induced and currently is actively inducing others to infringe, and/or has contributorily infringed and is contributorily infringing the '932 Patent in the State of Texas, in this judicial district, and/or elsewhere in the United States by, among other things, making, using, selling, offering to sell, and/or importing, without license, customer service, customer support, and/or customer care systems that provide remote access and support for consumers and businesses, such as Axios' assystControl product and related offerings.

11. Axios' service desk solutions fall within the scope of at least claim 21 of the '932 Patent, as evidenced by Axios' product descriptions. For example, Axios' service desk solution provides "automated routing of incidents and resolution tasks by affected application, service, user or other attribute." See <http://www.axiossystems.com/en/solutions/itsm/service-desk-software.html>. The solution also permits "Service Desk personnel to resolve these issues remotely by taking complete control of the end-user's PC, from one central location." See http://www.axiossystems.com/en/resources/datasheets/DS_assystControl_EN.pdf

12. Those whom Axios induces to infringe and contributes to the infringement of are end users of accused products, such as those identified above and at <http://www.axiossystems.com/en/resources/itil-case-studies.html>.

13. As a result of Axios' infringement of the '932 Patent, LTT has suffered monetary damages in an amount not yet determined, and will continue to suffer damages in the future unless Axios' infringing activities are enjoined by this Court.

14. Unless a permanent injunction is issued enjoining Axios and its agents, servants, employees, attorneys, representatives, affiliates, and all others acting on their behalf from infringing the '932 Patent, LTT will be irreparably harmed.

PRAYER

WHEREFORE, LTT incorporates each of the allegations in paragraphs 1 through 47 above and respectfully requests that this Court enter:

1. A judgment in favor of LTT that Axios has infringed, directly or indirectly, the '932 Patent;

2. A permanent injunction enjoining Axios and its officers, directors, agents, servants, affiliates, employees, divisions, branches, subsidiaries, parents, and all others acting in concert or privity, with any of them, from infringing, directly, jointly, and/or indirectly (by way of inducing and/or contributing to the infringement) the '932 Patent;

3. A judgment and order requiring Axios to pay LTT its damages, costs, expenses, and prejudgment and post-judgment interest for Axios' infringement of the '932 Patent as provided under 35 U.S.C. § 284;

5. A judgment and order finding that this is an exceptional case within the meaning of 35 U.S.C. § 285, and awarding to LTT its reasonable attorney fees; and

6. Any and all other relief to which LTT may show itself to be entitled.

DEMAND FOR JURY TRIAL

Plaintiff demands trial by jury on all issues triable to a jury.

Dated: April 3, 2014

Respectfully submitted,

By: /s/ Hao Ni

Hao Ni

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